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February 18, 2009

AGENDA ITEM 4

**TO: MEMBERS OF THE BENEFITS AND PROGRAM ADMINISTRATION
COMMITTEE**

- I. SUBJECT:** Federal Legislative Representative Request for Proposal (RFP 2008-4809) – Selection of Finalists
- II. PROGRAM:** Legislation
- III. RECOMMENDATION:** Staff recommends the Committee choose and the Board approve the number of highest-scoring proposers to be considered Finalists. Finalists will proceed to the next phase of the RFP process.

IV. ANALYSIS:

In October 2008 the Board approved an RFP to solicit proposals from qualified firms to provide federal legislative representative services to CalPERS for five years commencing July 1, 2009.

The RFP (No. 2008-4809) was released on October 15, 2008 and advertised in the *Washington Post* and several publications targeted to Congress and federal legislative advocates. CalPERS received four proposals by the December 16, 2008 final filing date.

The Interim Chief Executive Officer appointed a seven-member Evaluation Committee, comprised of representatives from Actuarial and Employers Services, Legal, Public Affairs, Member and Benefit Services, Health Benefits, Investments, and Governmental Affairs. Each member of the Evaluation Committee independently evaluated and scored responses to the Technical Proposal submitted by the four proposers. The Evaluation Committee members' scores were combined to determine an average total score for each proposer, with a maximum of 300 points. One proposer failed to receive a minimum score of 210 points on the Technical Proposal evaluation and was eliminated from further consideration.

Points for the Fee Proposals submitted by the remaining three proposers were computed in accordance with the specifications of the RFP.

The RFP specifies that the highest scoring proposal(s) after the Technical Proposal and Fee Proposal evaluation, as determined by CalPERS, will be considered Finalist. The following chart summarizes the current ranking of the three proposers after the Technical Proposal evaluation and the Fee Proposal scoring. This summary is provided to the Committee to assist in selecting the number of the highest scoring proposers that will be considered finalists. Profiles of the finalists are found in Attachment 1.

Current Rank	Proposer	Total Score*	Fee Proposal Score**	Technical Proposal Score***
1	Lussier, Gregor, Vienna & Associates	367.28	82	285.28
2	K & L Gates	353.00	100	253.00
3	Buchanan, Ingersoll & Rooney	321.14	72	249.14

* The total point spread between Rank 1 and Rank 3 is 46.14 points.

** The proposer with the highest fee proposal score is K & L Gates. The dollar difference between the lowest and highest fee proposal for the total five-year contract term is \$728,135.00

*** The proposer with the highest technical proposal score is Lussier, Gregor, Vienna & Associates.

The finalists identified by the Committee and approved by the Board will be subject to the remaining steps in the RFP process. Specifically:

- Demonstrate compliance with the Disabled Veteran Business Enterprise Contract Participation Goal requirements of the RFP
- Background and reference checks
- Finalist Interviews with the CalPERS Board of Administration scheduled to be held March 17, 2009

V. STRATEGIC PLAN:

This is not a product of the CalPERS Strategic Plan, but an ongoing responsibility of the CalPERS Office of Governmental Affairs.

VI. RESULTS/COSTS:

Upon successful award and execution of a contract for the services specified in the RFP, CalPERS would continue to have federal legislative representative services from a qualified firm in the Washington, D.C. area.

The cost for these services will be determined based on the fee proposal submitted by the successful proposer.

Members of the Benefits and Program Administration Committee

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Chief Executive Officer